

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT.**

Transport Deptt.-Sri K.Sri Hari, Senior Assistant(Dismised from service), O/o Dy. Tr. Commr., Nellore-O.A.No.11244/2009 filed in A.P.Administrative Tribunal-O.A. Allowed by Tribunal vide it's Order Dated:30.12.2009-Reinstated into service-Ratification Orders ratifying the action taken by Sri A.Mohan, the then Dy.Tr.Commr., Nellore Regularizing the services of five(5) years' Suspension period from 17.08.2002 to 25.07.2007 & 3½ years' Dismissal period from 26.07.2007 to 20.01.2011 respectively in respect of Sri K.Sri Hari, Sr.Asst., as Periods Spent 'On Duty' under FR 54, issued by Govt. vide G.O.Ms.No.65, T,R&B(VIG.TR.)Deptt., Dated:01.11.2016-Reconsideration of Govt. Orders-Requested-Reiteration of Govt. decision taken-Orders-Issued.

TRANSPORT, ROADS & BUILDINGS(VIG.TR.)DEPARTMENT
G.O.RT.No. 459

Dated: 04-12-2017

Read the following:

- 1)G.O.Ms.No.65, T,R&B(VIG.TR.)Deptt., Dated:01.11.2016.
- 2)From the Transport Commissioner, A.P., Vijayawada, Lr.No.11125/V4/V1/2002, Dated:07.11.2016.

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ORDER:

In the reference 1st read above, Government have ratified the action taken by Sri A.Mohan, the then Dy. Tr. Commr., Nellore vide his Procdgs. R.No.5924/A3/2014, Dated:04.10.2014 and 24.10.2014, regularizing the services of five(5) years' Suspension period from 17.08.2002 to 25.07.2007 and 3 ½ years' Dismissal period from 26.07.2007 to 20.01.2011 respectively in respect of Sri K.Sri Hari, Sr.Asst., as Periods Spent 'On Duty' under FR 54.

2. In the reference 2nd read above, the Transport Commissioner, A.P., Vijayawada, has requested the Govt. to reconsider the matter, stating that payment of consequential benefits to Sri K.Sri Hari, Sr.Asst.. O/o Dy. Tr.Commr., Guntur, was not proper. A careful perusal of the Transport Commissioner's proposal for reconsideration of Govt. Orders reveals that the Tr.Commr., has found fault with the action taken by Sri A.Mohan, the then Dy. Tr. Commr., Nellore in regularizing the services of five(5) years' Suspension period from 17.08.2002 to 25.07.2007 and 3 ½ years' Dismissal period from 26.07.2007 to 20.01.2011 respectively in respect of Sri K.Sri Hari, Sr.Asst., as Periods spent 'On Duty' under FR 54-B & FR 54-A respectively.

3. Examined the entire matter carefully with reference to the material available, including the various Orders passed by A.P. Administrative Tribunal & A.P.High Court and the A.P.Civil Services(Classification, Control & Appeal)Rules, 1991.

4. Government, after careful examination of the matter with specific reference to Rule 41 of the A.P.Civil Services(Classification, Control & Appeal)Rules, 1991, and in consultation with Advisory Departments(i.e., Finance & Law Departments), hereby disallow the *proposal of the Tr.Commr., seeking reconsideration of the Govt. Orders,, submitted* vide his Lr. 2nd read above, since Govt. have taken a decision and issued Orders vide G.O. 1st read above, for ratification of the action taken by Sri A.Mohan, the then Dy. Tr.Commr., Nellore regularizing the services of five(5) years' Suspension period from 17.08.2002 to 25.07.2007 and 3½ years' Dismissal period from 26.07.2007 to 20.01.2011 respectively, in respect of Sri K.Sri Hari, Sr.Asst., as spent 'On Duty' under FR 54 under inevitable circumstances and keeping in view of the Final Orders of Hon'ble High Court Dated:02.06.2014 in W.P.No.17395 of 2010 and final posting of Contempt Case No.1648/2016 in W.P.No.11745 of 2013 in A.P.High Court on 04.11.2016 (on the promotion aspect of Sri K.Sri Hari, Sr.Asst., O/o Dy.Tr.Commr., Guntur) and Sri A.Mohan. Dy.Tr.Commr., Nellore(now under suspension), had been warned to be more careful in future in such matters, vide Govt. Memo No. 9027/Vig.Tr./A2/2003-37, Dated:01.11.2016 of Transport, Roads & Buildings (VIG.TR.)Department.

This Order issues with the concurrence of Finance(HR.IV-FR)Department, vide their U.O.No.33021/634/HR.IV/2016, Dated:27.01.2017 of Finance(HR.IV-FR) Department.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ANIL CHANDRA PUNETHA,
CHIEF COMMISSIONER OF LAND ADMINISTRATION & SPECIAL
CHIEF SECRETARY TO GOVERNMENT(T,R&B) (FAC)**

To
The Transport Commissioner, A.P., Vijayawada.

Copy to:

- 1)The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, A.P. Secretariat, Velagapudi(w.r.t.APVC's Letter No.352/VC.AF(2)/2004-9, Dated: 07.04.2015).
- 2)The Govt. Pleader for Services(A.P.), High Court of Judicature, Hyderabad-500066 (BY SPEED POST WITH ACKN. DUE) (w.r.t. Contempt Case No.1648/2016 in W.P.No.11745 of 2013 in A.P.High Court).
- 3)SF/SC's.

//FORWARDED:: BY ORDER//

SECTION OFFICER